

§ 905.36

§ 905.36 Marketing criteria.

Western shall retain applicable provisions of existing marketing criteria for projects where resource commitments are extended beyond the current expiration date of long-term firm power sales contracts. Western must retain important marketing plan provisions such as classes of service, marketing area, and points of delivery, to the extent that these provisions are consistent with the PMI. The PMI, eligibility and allocation criteria for potential new customers, retained or amended provisions of existing marketing criteria, the project-specific resource definition, and the size of a project-specific resource pool shall constitute the future marketing plan for each project.

§ 905.37 Process.

Modified contractual language shall be required to place resource extensions under contract. Resource extensions and allocations to new customers from the initial resource pool will take effect when existing contracts expire. These dates are December 31, 2000, for the Pick-Sloan Missouri Basin Program—Eastern Division and September 30, 2004, for the Loveland Area Projects. For the Pick-Sloan Missouri Basin Program—Eastern Division, Western will offer contracts to existing customers for resource extensions no sooner than the effective date of the final regulations. For the Loveland Area Projects, existing contracts provide for potential adjustments to marketable resources in 1999. No contracts will be offered to existing customers for post-2004 Loveland Area Projects resources until the analysis of potential resource adjustments in 1999 has been completed and any adjustments are implemented. Existing power sales contracts require that this analysis be completed by 1996.

Subpart D—Energy Services

§ 905.40 Technical assistance.

Western shall establish a program that provides technical assistance to customers to conduct integrated resource planning, implement applicable IRPs and small customer plans, and

10 CFR Ch. III (1–1–13 Edition)

otherwise comply with the requirements of these regulations.

PART 950—STANDBY SUPPORT FOR CERTAIN NUCLEAR PLANT DELAYS

Subpart A—General Provisions

Sec.

- 950.1 Purpose.
- 950.2 Scope and applicability.
- 950.3 Definitions.

Subpart B—Standby Support Contract Process

- 950.10 Conditional agreement.
- 950.11 Terms and conditions of the Conditional Agreement.
- 950.12 Standby Support Contract Conditions.
- 950.13 Standby Support Contract: General provisions.
- 950.14 Standby Support Contract: Covered events, exclusions, covered delay and covered cost provisions.

Subpart C—Claims Administration Process

- 950.20 General provisions.
- 950.21 Notification of covered event.
- 950.22 Covered event determination.
- 950.23 Claims process for payment of covered costs.
- 950.24 Claims determination for covered costs.
- 950.25 Calculation of covered costs.
- 950.26 Adjustments to claim for payment of covered costs.
- 950.27 Conditions for payment of covered costs.
- 950.28 Payment of covered costs.

Subpart D—Dispute Resolution Process

- 950.30 General.
- 950.31 Covered event dispute resolution.
- 950.32 Final determination on covered events.
- 950.33 Covered costs dispute resolution.
- 950.34 Final claim determination.
- 950.35 Payment of final claim determination.
- 950.36 Other contract matters in dispute.
- 950.37 Final agreement or final decision.

Subpart E—Audit and Investigations and Other Provisions

- 950.40 General.
- 950.41 Monitoring/Auditing.
- 950.42 Disclosure.

AUTHORITY: 42 U.S.C. 2201, 42 U.S.C. 7101 *et seq.*, and 42 U.S.C. 16014

SOURCE: 71 FR 46325, Aug. 11, 2006, unless otherwise noted.